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REMARKS/ARGUMENTS

Claims 1-3, 8-11, and 16-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent Application Publication No. 2001/0048447 by Jogo ("Jogo") in view of United States Patent No. 5,798,752 to Buxton et al. ("Buxton et al.").

The Examiner has objected to claims 4-7 and 12-15 as being dependent upon a rejected base claim, but would allow these claims if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicant thanks the Examiner accordingly.

The Applicant believes that Claims 1 and 9 are patentable over Jogo and Buxton et al. as these references do not teach or suggest the subject matter of Claims 1 and 9. Similarly, the Applicant believes that Claims 2-8 and 10-19, being dependent on Claims 1 and 9, respectively, are also patentable over the Jogo and Buxton et al. references. Please note that Claims 2-4 and 10-12 have been amended to better define the invention. No new matter has been entered by these amendments. Consequently, the Examiner is respectfully requested to consider the original and amended claims in view of the following comments.

As recited in original Claim 1, one aspect of the Applicant's invention is directed toward a method for cropping a computer generated original image on a display, comprising the steps of:

> adjusting a user-selected movable boundary on said original image to define a cropped image within said boundary, said boundary defined by two or more points on said original image; and,
>
> distorting said original image in regions surrounding said points, whereby said boundary is accurately positioned for cropping.

The Examiner claims that the Jogo and Buxon et al. references discloses that element of Claim 1 that recites "...distorting said original image in regions surrounding said points, whereby said boundary is accurately positioned for cropping." Please refer to pages 2 and 3 of the Office Action where the Examiner states:

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"Regarding claim 1, Jogo discloses (Figs. 2, 8A-9B)...distorting (enlarging or reducing the cropped image) the original image (100) in regions (upper and lower horizontal regions within the crop boundary 98a) surrounding the reference point (98e), whereby the boundary (98a) is accurately positioned for cropping. See page 6, section (0076) and section (0078, lines 1-4). Furthermore, the word 'distort' as defined in Webster's New World Dictionary, Third College Edition, 'change the usual or normal shape, form, or appearance'. Thus, by enlarging or reducing the cropped image, it will change the appearance of the original image...The only difference between the disclosure of Jogo and the claimed invention is that the claim 1 requires two or more points on the original image, instead of only one reference point (98e) as disclosed by Jogo...However, Buxton discloses (Figs. 1 and 25) a graphical user interface (GUI) for manipulating the graphical images, wherein as shown in Fig. 25, the original image having a plurality of user interface objects or points, called handles, on top of scene image. By pointing at these points or handles with a cursor, users can perform translation, scaling, and stretching (distortion) on the object image. See column 20, lines 43-57. It would have been obvious to a person of ordinary skill in the art to use the graphics user interface control points or handles to scale, stretch, or distort the object image, as taught by Buxton, into the image cropping system of Jogo to provide a user interface technique that allows a user to perform moving, scaling, and stretching the original image as desired by the user with fewer actions, thereby significantly enhancing productivity."

In Jogo, it is the fixed aspect ratio boundary **98a** that is stretched (distorted) to fit over a portrait region in an original image to define the crop. The original image itself is not stretched (distorted) during this operation. In contrast, in the Applicant's invention, the original image is distorted as recited in original Claim 1. In particular, the original image is distorted by the introduction of lenses as recited in amended Claim 2.

Thus, Jogo discloses enlargement or reduction not of the original image itself but rather of the total area being cropped, in that when the Jogo crop boundary **98a** changes, the total coverage of the crop necessarily changes. In contrast, the Applicant's invention involves distortion (e.g., magnification) of local areas of the image to be cropped (i.e., not movement of the boundaries at the point that lenses are applied), prior to the cropping. The distortion is predetermined, prior to

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the cropping, and is used to improve the accuracy of the cropping, rather than being the outcome of the crop.

In addition, original Claim 1 does not recite the use of handles to distort the original image. Hence, Buxon et al. is not applicable to original Claim 1. The use of GUI handle icons to adjust the lens is introduced in amended Claim 4 of the present application. In the Applicant's invention, the GUI is not necessarily applied at the stage defined in original Claim 1. Rather, the distortion (e.g., the lens) is predetermined at that stage. In the Applicant's invention, manipulation of the lens with the GUI of amended Claims 3 and 4 is optionally performed at a later stage.

Moreover, the Buxton et al. reference pertains to an inset magnifier or inset window, rather than a continuous presentation such as that of the Applicant's invention. In the Buxton et al. reference, stretching via moving the GUI handle icons necessarily detaches the magnifying lens from the image and stretches the lens content so as to obscure a portion of the underlying image, whereas in the Applicant's invention, the presentation is continuous and there is no obscuring of the underlying image. In the Applicant's invention, as recited in amended Claim 4, two sets of handles can be supported for configuring the size and shape of each of the focal and base regions of a lens. In contrast, consider FIG. 25 of Buxton et al. where no focal region nor any independent means for adjusting a focal region is shown.

Thus, the Applicant believes that original Claim 1 is patentable over Jogo and Buxton et al. as these references do not teach or suggest the subject matter of original Claim 1. In particular, Jogo and Buxton et al. do not teach or suggest "distorting said original image in regions surrounding said points, whereby said boundary is accurately positioned for cropping." In addition, the Applicant believes that amended and original Claims 2-8, being dependent on original Claim 1 are also patentable over the Jogo and Buxton et al. references.

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As recited in original Claim 9, another aspect of the Applicant's invention is directed toward a method for measuring within a computer generated original image on a display, comprising the steps of:

adjusting a user-selected movable line segment on said original image to define points on said original image for measuring between; and,

distorting said original image in regions surrounding said points, whereby said points are accurately positioned for measuring.

For the reasons given above with respect to original Claim 1, the Applicant believes that original Claim 9 is patentable over Jogo and Buxton et al. as these references do not teach or suggest the subject matter of original Claim 9. In particular, Jogo and Buxton et al. do not teach or suggest "distorting said original image in regions surrounding said points, whereby said points are accurately positioned for measuring." In addition, the Applicant believes that amended and original Claims 10-19, being dependent on original Claim 9 are also patentable over the Jogo and Buxton et al. references.

To conclude, the Applicant believes that original Claims 1 and 9 are patentable over Jogo and Buxton et al. as these references do not teach or suggest the subject matter of original Claims 1 and 9. Similarly, the Applicant believes that Claims 2-8 and 10-19, being dependent on original Claims 1 and 9, respectively, are also patentable over the Jogo and Buxton et al. references.
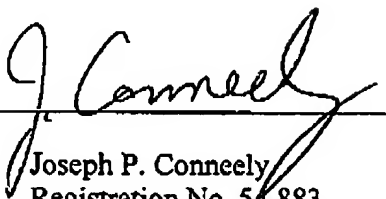
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The Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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